

## REMARKS

In the Office Action mailed July 10, 2006, claims 11 and 16 are currently pending. Claims 11 and 16 are rejected under 35 U.S.C. 103(a) as being unpatentable over Faruqi et al. (WO 97/02563) in view of Chen (U.S. Patent No. 5,257,133) and Tanaka (U.S. Patent No. 5,684,641).

Applicants respectively traverse. After a careful review of the Office Action and the cited references, Applicants respectively request reconsideration in view of the following remarks.

### I. CLAIM REJECTIONS UNDER 35 U.S.C. § 102(e)

Claims 11 and 16 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over Faruqi et al. (WO 97/02563) in view of Chen (U.S. Patent No. 5,257,133) and Tanaka (U.S. Patent No. 5,684,641). Applicants respectively traverse.

As expressly stated in 35 U.S.C. § 103(a) – which forms the basis for all obviousness rejections set forth in the Office Action - the claimed invention must be considered as a whole. In this regard, Applicants fail to see that the Examiner has provided any prior art references (or combinations thereof) supporting a prima facie conclusion of obviousness in regard to claim 11 and claim 16. In addition, the combined references do not even teach all elements in claim 16.

Specifically:

#### Claim 11

What is claimed in claim 11 is that the wavelength distortion can be corrected by means of an aspheric plastic objective lens. Scientific literature (e.g., “Fundamentals of Optics”, F. A. Jenkins and H. E. White, McGrawHill, 1981) teaches us that there are several general methods

for correcting chromatic aberration. The most obvious solution to one of ordinary skill in the art in fact is to use reflecting surfaces, such as mirrors to correct wavelength distortion avoiding wavelength dispersion. If one should use lenses, Jenkins and White teach us that the commonest method is to employ two thin lenses in contact, one made of crown glass and the other of flint glass. There are many combinations of glass that can be used for this purpose. Examples are borosilicate crown, spectacle crown, light barium crown, telescope flint, dense barium flint, light flint, dense flint, fused quartz, crystal quartz and fluorite, with refractive indices varying from 1.50 to 1.75. The fluorite glass has been developed especially to reduce chromatic aberrations.

Aspherical lenses reduce the number of optical surfaces in a system, minimizing loss of intensity of light, and reducing aberrations due to spherical surfaces. Aspherical lenses can be made out of glass and will often operate in a wide wavelength range. In contrast, the plastic lens proposed in the claimed invention has a restricted wavelength operation confined to the visible wavelength range (400-700 nm).

In summary, a choice between lenses and mirrors, between different types of glasses, between plastics and glasses, and between spherical and aspherical lenses has to be made, and the cited references do not provide any guidance or motivation, either in the references themselves or in the knowledge generally available to one of ordinary skill in the art, to select any specific combination. Indeed, it would not be obvious to one of ordinary skill in the art to employ an aspherical plastic objective lens to correct for chromatic aberration.

#### Claim 16

The combined prior art references neither teach nor suggest all the claim limitations, i.e., an aspherical plastic lens “with a central region and an annular region in the aperture, where the central region of the aspheric lens is tuned to the wavelength of the writing light source for

focussing the write object beam onto the recording layer, and at the same time tuned to the wavelength of the read light source for imaging the read object beam onto the detector, and further the annular region of the lens is tuned to the wavelength of the read light source for imaging the reflected beam onto the detector”.

II. SUMMARY

Applicants respectfully submit that, in view of the remarks above, the present application, including claims 11 and 16, are in condition for allowance and solicit action to that end.

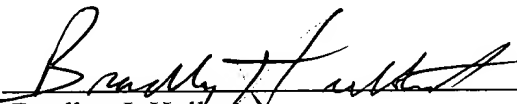
If there are any matters that may be resolved or clarified through a telephone interview, the Examiner is respectfully requested to contact Applicants' undersigned representative at (312) 913-0001.

Respectfully submitted,

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By: \_\_\_\_\_

  
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